

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

METROPOLITAN TRANSPORTATION
COMMISSION,

Plaintiff,

v.

MOTOROLA, INC.,

Defendant

No. C-06-2302 MMC

**ORDER VACATING HEARING ON
PLAINTIFF'S MOTION FOR JUDGMENT
OF ITS COMPLAINT ON THE
PLEADINGS AND TO DISMISS
COUNTERCLAIMS**

Before the Court is plaintiff's motion, filed August 22, 2006, for judgment on the pleadings, pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, and to dismiss defendant's counterclaims, pursuant to Rule 12(b)(6). Having considered the papers filed in support of and in opposition to the motion, the Court finds the matter appropriate for resolution without oral argument, see Civil L.R. 7-1(b), and hereby VACATES the October 13, 2006 hearing.

IT IS SO ORDERED.

Dated: October 11, 2006


MAXINE M. CHESNEY
United States District Judge